

10-27-00

PATENT

Attorney Docket No. STONEST.001A

Date: October 25, 2000

Page 1

10/25/00
JC653 U.S. PTO

ASSISTANT COMMISSIONER FOR PATENTS

WASHINGTON, D.C. 20231

ATTENTION: BOX PATENT APPLICATION

Sir:

Transmitted herewith for filing is the patent application of

Inventor(s): **Ray Herrera**

For: **SLOTTED KEY STORAGE DEVICE**

Enclosed are:

- (X) A specification in 9 pages.
- (X) 3 sheet(s) of drawings.
- (X) A copy of the verified statement to establish small entity status under 37 CFR 1.9 and 37 CFR 1.27 previously filed with the provisional application.
- (X) A copy of the signed declaration and power of attorney by the inventor previously filed with the provisional application.
- (X) Return prepaid postcard.
- (X) This application claims priority from the provisional application Serial No. 60/161,278 filed October 25, 1999.
- (X) A small entity statement was filed in the prior application, and such status is still proper and desired.

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09/696841
10/25/00

CLAIMS AS FILED

FOR	NUMBER FILED	NUMBER EXTRA	RATE	FEE
Basic Fee			\$355	\$355
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Independent Claims	3 - 3 =	0×	\$40	\$0
If application contains any multiple dependent claims(s), then add			\$135	\$0
TOTAL FILING FEE		\$355		

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Page 2

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Assistant Commissioner for Patents
Washington, D.C. 20231

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

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Applicant(s) : Ray Herrera

For : SLOTTED KEY STORAGE DEVICE

Attorney : Steven J. Nataupsky

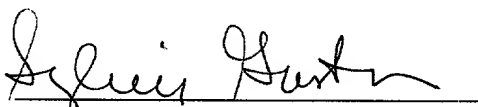
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Date of Deposit : October 25, 2000

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VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL-ENTITY STATUS

I, the undersigned, do hereby declare that:

- ☒ I am an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees to the Patent and Trademark Office with regard to the invention described in the patent or application identified above.

The individual, concern or organization identified above has not assigned, granted, conveyed or licensed, and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

If the rights held by the above-identified individual, concern or organization are not exclusive, each individual, concern or organization having rights in the invention are identified below. Each such individual, concern or organization must file separate verified statements averring to their status as small entities.

***NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).**

FULL NAME:

ADDRESS:

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small-entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Ray Herrera

TITLE OF PERSON (if not an owner or individual):

ADDRESS OF PERSON SIGNING: 925 West Autumn Drive, Anaheim, CA 92805

SIGNATURE: 

DATE: 10/11/99

SLOTTED KEY STORAGE DEVICERelated Application

5 This application claims priority from U.S. Application Serial No. 60/161,278
filed October 25, 1999.

Background of the InventionField of the Invention

10 This invention relates to the field of key storage devices, and more particularly
to a device for holding a spare key in a convenient, safe and attractive manner consistent
with outdoor landscaping.

Description of the Related Art

15 Keeping a backup or spare key for emergency purposes is desirable because keys
are commonly lost or misplaced. One of the problems with keeping a backup or spare
key, however, is that the key itself is susceptible to being lost or misplaced. Also, when
the spare key to a residence or the like is stored outside, there is a risk that the key may
be discovered by an unintended person. However, when additional effort is made to
hide the key from unintended users, the risk of losing the key increases. Also, taking
pains to hide the key is often impractical and unpleasant.

20 Various devices have been created to hold keys outside so that they are available
to an intended user but hidden from unintended users. For example, boxes to hold the
key can be buried or hidden and can have trap doors disposed therein to provide access
to the key. However, these boxes may rust and age when exposed to harsh outdoor
conditions. Trap doors may become inflexible over time and get stuck, becoming
unopenable without dismantling the box. Also, devices that rust or allow excessive
25 water to contact the key may facilitate the key becoming destroyed over time. Further,
such devices often appear unnatural and are easy to identify as key-holders.

30 Another device comprises a plastic simulated boulder with a compartment
formed therein for holding a key. Such a plastic device is not ideally suited to an
outdoor environment because the plastic may age over time and fade. Also, a plastic
device situated in a landscape may appear unnatural and be easy to spot. Even if the
plastic device appears natural, the realities of plastics dictate that many such devices

would be manufactured using the same mold and would thus be identical. Therefore, a potential burglar or other unauthorized person familiar with such devices would easily identify the plastic boulder as a key-holding device. Thus, the unauthorized person could easily retrieve a key from the device and gain convenient access to the house.

5

Summary of the Invention

Accordingly, there is a need for a key storage device that appears natural and blends in with landscaping, provides easy access to the intended user, does not wear over time, and protects a key disposed therein from the elements.

10

In accordance with a preferred embodiment of the present invention, a key storage device comprising a landscape member having at least one slot formed on a side thereof and having a removable strip substantially covering the slot is provided. In certain other embodiments, the landscape member may be a natural stone or another article typically found in a landscape. After a key is placed in the slot, an elongate rubber strip may be applied to cover and substantially seal the slot.

15

In accordance with another embodiment having features of the present invention, a method for making a key storage device is disclosed. The method comprises the steps of forming a slot in a selected piece of natural material and forming a closing strip adapted to substantially enclose the slot. In certain other embodiments, further steps of the method can include using a circular grinder to form the slot in the piece of material.

20

In accordance with another embodiment having features of the present invention, a key storage device comprising a stone having a slot formed therein is provided. The slot is sized to accommodate a key and means are provided for substantially sealing the slot.

25

For purposes of summarizing the invention and the advantages achieved over the prior art, certain objects and advantages of the invention have been described herein above. Of course, it is to be understood that not necessarily all such objects or advantages may be achieved in accordance with any particular embodiment of the invention. Thus, those skilled in the art will recognize that the invention may be embodied or carried out in a manner that achieves or optimizes one advantage or group of advantages as taught herein without necessarily achieving other objects or advantages as may be taught or suggested herein.

30

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All of these embodiments are intended to be within the scope of the invention herein disclosed. These and other embodiments of the present invention will become readily apparent to those skilled in the art from the following detailed description of the preferred embodiments having reference to the attached figures, the invention not being limited to any particular preferred embodiment(s) disclosed.

Brief Description of the Drawings

Figure 1 is a perspective view of a key storage device having features in accordance with the present invention.

Figure 2 is a bottom view of the key storage device of Figure 1.

Figure 2A is a cross-sectional view of a cover strip of Figure 2 taken along lines 2A-2A of Figure 2.

Figure 3 is a cross-sectional side view of the key storage device of Figure 1, taken along lines 3-3 of Figure 1 and showing a key disposed in the slot formed in the device.

Figure 4 is a bottom view of another embodiment of a key storage device having features in accordance with the present invention.

Figure 5A is a cross-sectional side view of the key storage device of Figure 1, taken along lines 5-5 of Figure 2.

Figure 5B is a partial, cross-sectional side view taken along lines 5B-5B of Figure 5A.

Detailed Description of the Preferred Embodiment

Referring to Figures 1-3, the present invention comprises a key storage device 10 having a body 12 with a slot 14 formed on a bottom side 16 thereof. The slot 14 preferably extends into the body 12 and is sized to accommodate a key 18 therewithin. A strip 20 fits into the slot 14 to substantially enclose the slot 14 with the key 18 therewithin.

Preferably, the slot 14 is between about 1/16-3/8 inch in width, and is most preferably about 1/8 inch wide. The depth of the slot 14 is preferably between about 1/2-2 inches, and is more preferably between about 1 and 1-1/2 inches. The length of the slot 14 is preferably between about 2-6 inches, and is more preferably about 4 inches. The slot 14 is preferably formed by urging a circular rotating diamond grinder

blade (not shown) into the body 12 to a predetermined depth. The grinder blade is preferably between about 2-7 inches in diameter, and is most preferably between about 4-5 inches in diameter.

5 The pliant cover strip 20 is adapted to substantially seal the slot 14 from entry by dirt, debris or water. Preferably, the cover strip 20 is an elongate rubber or plastic piece having outer ribs 24 (Figure 2A). A hole 26 is preferably formed longitudinally through the strip 20 and aids compliancy. The ribs 24 aid in sealing of the slot 14 to undesirable elements. In practice, the strip 20 is preferably slightly larger in diameter than the diameter of the slot 14 so that the pliable strip 20 seals the slot 14 from the elements
10 when the strip 20 is placed within the slot 14 as will be understood by those skilled in the art. Likewise, the strip 20 is long enough to seal the slot 14 from the elements. Other types of pliant material that will at least partially fit snugly in the slot 14 can also be used as will be recognized by those skilled in the art. Preferably, the strip 20 is sized to be about the same length as the slot 14 and each end 28, 30 is preferably cut at an
15 angle, thus aiding removal of the strip 20 and sealing of either end of the slot 14. Having a strip 14 with at least one angled end also aids in removing the strip 20 from the slot 14 when desired. The angle ϕ of the ends 28, 30 relative to the body 30 of the strip 20 is preferably between about 10° and 90° and more preferably is about 45°.

Preferably, the cover strip 20 is adapted to be reusable; however, in certain
20 embodiments, various types of nonreusable strips may be used. For instance, a strip of tape such as duct tape may appropriately be used to seal the slot 14. Also, semi-permanent sealing methods, such as a glue gun, can be used.

The body 12 of the key storage device 10 is preferably a hunk of natural stone and more preferably is a hard rock such as granite or Colorado River Rock. However,
25 the body 12 can be selected from a variety of materials to customize the device to match the desired landscaping. For instance, bricks or blocks can be used as bodies for the key storage device 10. Other materials include, but are not limited to, slate, round rock, cement blocks, paving stones and even railroad ties. In essence, any member of the desired landscape that can accommodate a slot permanently formed therein can function
30 as a key storage device in accordance with the present invention. However, nonporous

materials such as hard rock can be expected to enable better sealing of the slot 14 and better protection of the key 18 from the elements.

The slot 14 is most preferably located on a substantially flat bottom side 16 of the storage device body 12. Smooth, rounded shapes may also be preferred. Body shapes with dramatic features may also be acceptable, but decreased sealing ability of the cover strip 20 should be expected.

To accommodate the slot 14 formed in the undersurface 16 of the body 12, the body 12 must, of course, be thicker than the depth of the slot 14. Preferably, the body 12 has a thickness more than about ½ inch. Most preferably, the body 12 is at least about 2 inches thick. However, in an embodiment having a body that is not thick enough to accommodate a slot through its undersurface, the slot may be formed on another side of the body.

With next reference to Figure 4, another embodiment of a key storage device 110 having features of the present invention comprises a body 112 having multiple slots 114, 115 formed in an underside 116 thereof. As with the above-discussed embodiments, a pliant cover strip can be employed to cover each of the slots and protect a key stored within each slot. Alternatively, a single length of tape may cover both slots.

Referring to Figure 5A, a key 18 is secured within a slot 114 in the underside 116 of the present invention by a strip 20. As will be understood by those of skill in the art, the strip 20 prevents water and other elements from entering the slot 114 and corroding or otherwise destroying the key 18. With regard to Figure 5B, the ribs 24 aid in sealing the slot 114 from the elements. As discussed above, the ends of the strip 20 may be angled to snugly fit against the external ends of the slot. For example, referring to Figure 3, the intersection of the slot 14 and the bottom surface 16 of the device 10 forms an angle. The strip 20 can have ends 28, 30 with a similar angle to secure the key 18 in the slot 14 without a gap between the cover strip 20 and the ends of the slot 14, thus safely securing the key 18 in the slot 14 and preventing exposure of the key 18 to the elements.

Of course, as discussed above, the cover strip may be replaced with other sealing means such as tape, glue or other devices known to those of skill in the art. Likewise,

other devices may be stored in the slot 14. For example, instead of a key 18, money or other items may be safely and securely stored in the slot 14 of the device 10 as will be easily understood by those of skill in the art.

5 In practice, a user places a key to be stored in the slot 14 of the device 10. Thereafter, a strip 20 or other removable sealing device is used to enclose the key 18 the slot as shown in Figures 3, 5A and 5B. Preferably, once the strip 20 is placed in the slot 14, the key 18 is safely protected from the elements in the slot 14. Thus, the strip 20 is of a length to enclose the key 18 in the slot 14.

10 The device 10 may then be placed in a landscape with the entry of the slot 14 facing the supporting surface of the device such as the ground. Thus, people cannot see that the natural device 10, such as a rock, in fact protects a key as will be easily understood by those of skill in the art.

15 When a user needs the key 18, he or she can locate the device 10, turn it over, remove the strip 20 and retrieve the key 18. After use, the key 18 can easily be returned to the slot 14 and secured in the slot 14 by a strip 20. Given the natural look of the device, it is unlikely that the key 18 will be found by unintended users as opposed to prior art key retrieving devices.

20 Although this invention has been disclosed in the context of certain preferred embodiments and examples, it will be understood by those skilled in the art that the present invention extends beyond the specifically disclosed embodiments to other alternative embodiments and/or uses of the invention and obvious modifications and equivalents thereof. Thus, it is intended that the scope of the present invention herein disclosed should not be limited by the particular disclosed embodiments described above, but should be determined only by the claims that follow.

WHAT IS CLAIMED IS:

1. A key storage device comprising:
a landscape member having at least one slot formed on a side thereof;
and
5 a strip substantially covering the opening of said slot.
2. A key storage device as in Claim 1, wherein said landscape member is a stone.
3. A key storage device as in Claim 2, wherein said stone comprises a hard, natural rock.
- 10 4. A key storage device as in Claim 1, wherein said landscape member is a nonporous material.
5. A key storage device as in Claim 1, wherein said strip is an elongate, pliant strip.
- 15 6. A key storage device as in Claim 5, wherein said strip has a longitudinal axis and first and second ends, and at least one of the ends is inclined relative to the longitudinal axis.
7. A key storage device as in Claim 5, wherein said strip is rubber.
8. A key storage device as in Claim 5, wherein said strip has ribs extending therefrom.
- 20 9. A key storage device as in Claim 1, having a single slot formed therein.
10. A key storage device as in Claim 9, wherein said slot opens to a bottom surface of said device.
11. A key storage device as in Claim 1, wherein said slot is generally semicircular in shape.
- 25 12. A method of making a key storage device comprising the steps of:
forming a slot in a selected piece of material; and
forming a closing strip adapted to substantially close said slot.
13. A method as in Claim 12, further comprising the steps of selecting a piece of material with a substantially smooth undersurface and forming said slot on the
30 undersurface.

Abstract of the Disclosure

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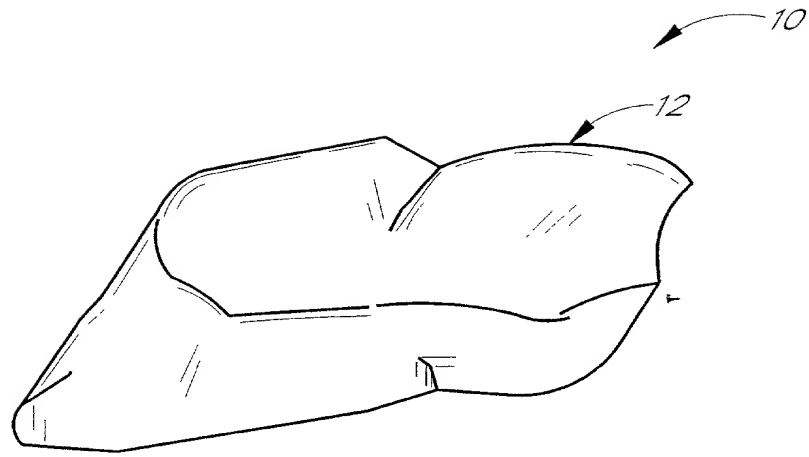


FIG. 1

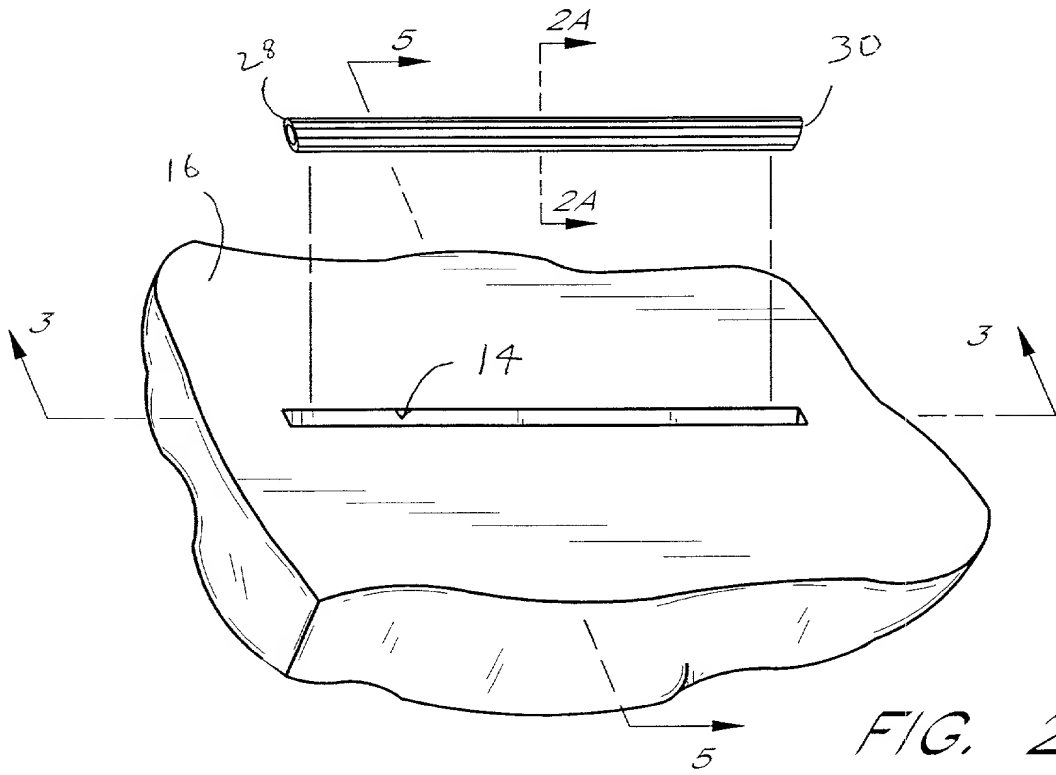


FIG. 2

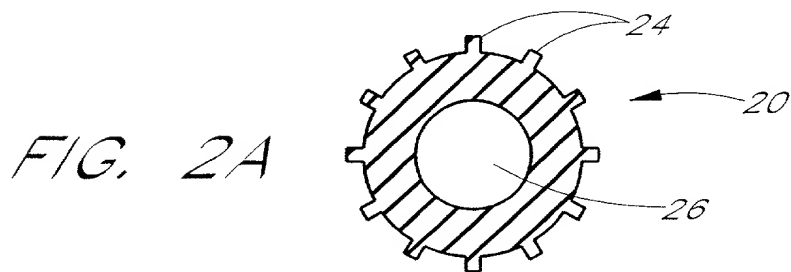
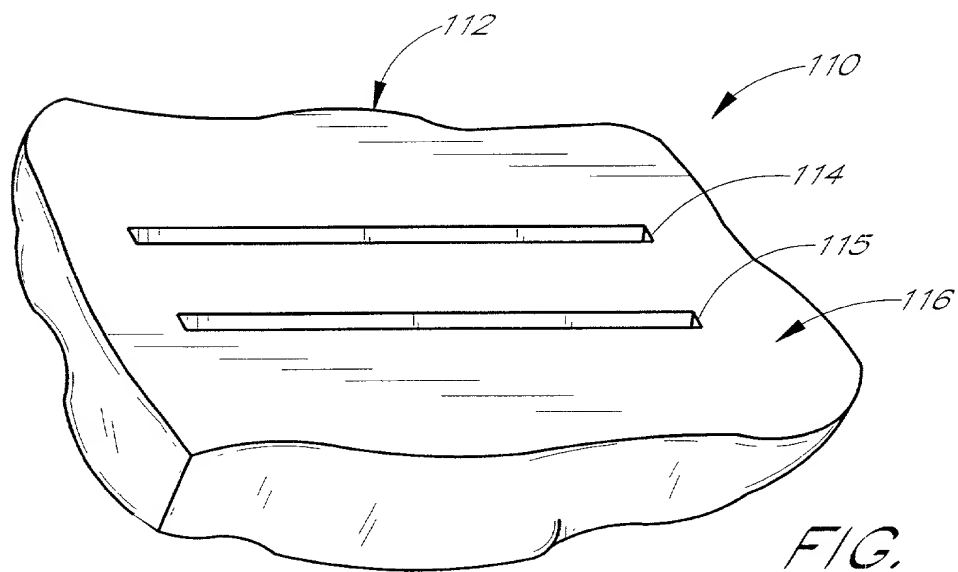
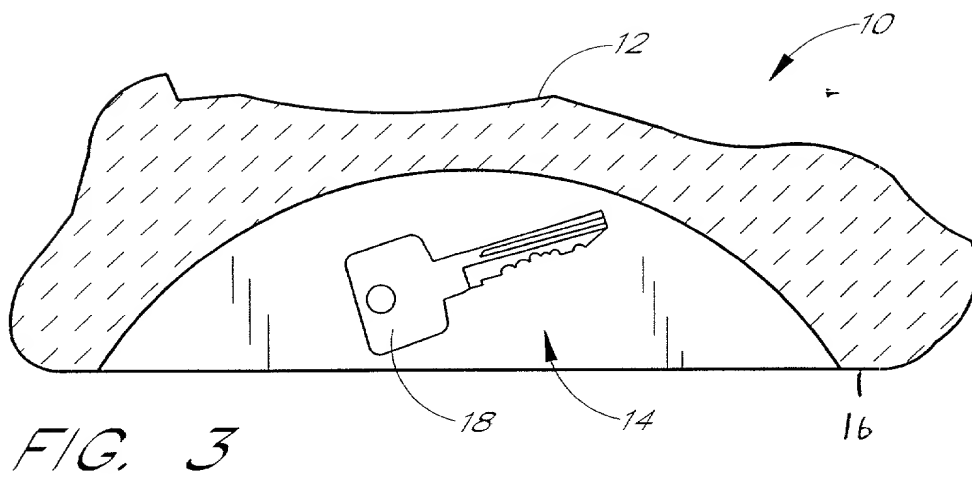


FIG. 2A



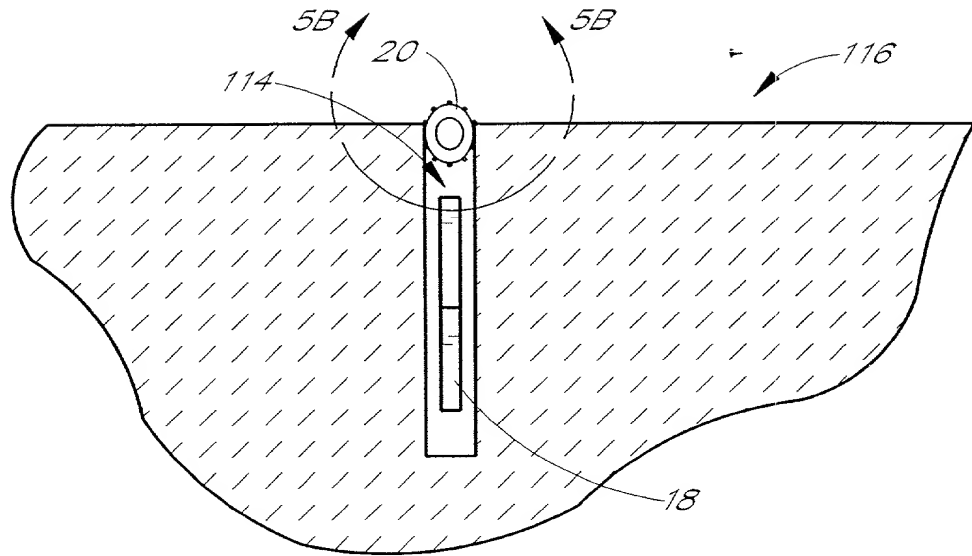


FIG. 5A

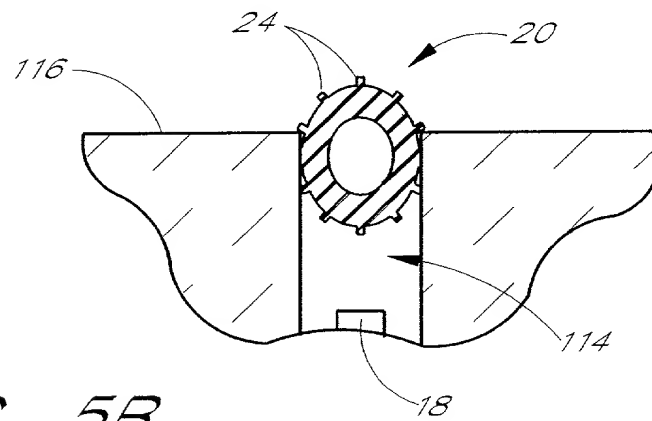


FIG. 5B

DECLARATION AND POWER OF ATTORNEY- USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SLOTTED KEY STORAGE DEVICE; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim the benefit under Title 35, United States Codes § 119(e) of any United States provisional application(s) listed below.

Application No.:

Filing Date:

POWER OF ATTORNEY: I hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (949) 760-0404, **Customer No. 20,995.**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole inventor: **Ray Herrera**

Inventor's signature Ray Herrera

Date 10/11/99

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KNOBBE, MARTENS, OLSON & BEAR, LLP

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